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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/569,761

Applicant(s)

VON HELMOLT ET AL.

Examiner

OLUSEGUN GOYEA

Art Unit

3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Prosecution History Summary

This office action is in response to communication filed 08/28/2008. Currently, claims 1-28 are pending. Claims 1, 9, 14 and 19 have been amended while claim 29 has been cancelled.

Response to Amendment

Applicant's amendments to the drawings are sufficient to overcome the drawing objections in regards to figure 2 (communication link to rectangle **204**), figure 5 (unlabelled rectangles **510** and **526**) and figure 6 (misspellings in rectangles 630 and 632), as set forth in the previous action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar).

Referring to **claim 1**, Kumar discloses a data processing method for a customer request comprising:

- a) receiving a request for at least one item from a customer data processing system at a central data processing system; (see col. 4, lines 42-47; col. 5, lines 47-67; col. 6, lines 30-33; col. 11, lines 5-8)
- b) generating a plurality of sub-requests for a plurality of partner systems where each sub-request is assigned to an internal or external system by means of rules; (see col. 4, lines 47-65; col. 11, lines 9-11; col. 15, lines 1-18 and 48-57)

e) sending the sub-requests with the unique identifiers to partner systems;
(see col. 4, lines 47-56; col. 11, lines 9-11)

f) receiving back sub-responses at the central data processing system,
said sub-responses having unique identifiers in association with the
unique identifiers of the request; (see col. 4, lines 56-57; col. 11, lines 11-
14)

g) generating a response based on association of the sub-responses with
the original item; (see col. 4, lines 58-60; col. 11, lines 14-16; col. 15, lines
4-6)

h) sending the response back to the customer data processing system.
(see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

c) generating a separate unique identifier for each of the sub-requests;

d) storing the unique identifiers being assigned to the sub-requests, in a
retrievable medium;

However, it would have been obvious to one skilled in the art that each sub-response will be assigned a identifier number or id corresponding to the receiving ATP server or supplier to identify where the sub-requests and sub-responses are sent to and received from, respectively. In addition, each supplier/ATP server/LFM associated with the fulfillment system has an identifier stored on the fulfillment server(s). (see col. 5, lines 58-63; col. 6, lines 4-29 and 34-53; col. 7, lines 35-65; - *The rules can be implemented based on the fulfillment server- ATP server- LFM relationship/setup or based on criteria specified by the clients.*)

Referring to **claim 2**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein said sending of the sub- requests to partner systems further comprises at least one of:

sending a sub-request for a partner search or a partner availability check at item level or; (see col. 4, lines 61-66; col. 6, lines 4-11 and 32-49; col. 7, lines 25-34)

determining at least one business system or an availability check for this system at item level. (see col. 4, lines 61-66; col. 6, lines 4-11 and 32-49; col. 7, lines 25-34)

Referring to **claim 3**, Kumar discloses the system as applied in the rejection of claim 2 above, wherein performing of the partner search is done with the use of functions. (see col. 7, lines 1- 34 and 58-65; col. 6, lines 54-67 – *It would be obvious to one skilled in the art that the functions/rules are either previously defined by the customer/fulfillment server or specified in the request.*)

Referring to **claim 4**, Kumar discloses the system as applied in the rejection of claim 3 above, wherein the functions comprise standard functions, as well as functions of customers and partners. (see col. 6, lines 54-67; col. 7, lines 1-67)

Referring to **claim 5**, Kumar discloses the system as applied in the rejection of claim 2 above, wherein the partner system which received the request for availability check temporarily reserves a requested resource that has been identified as available. (see col. 10, lines 20-28; col. 13, lines 14-16; col. 17, lines 26-28; col. 18, lines 6-9; col. 18, lines 49-54 – *It is obvious that resources are temporarily reserved once a quotation or promise response is made.*)

Referring to **claim 6**, Kumar discloses the system as applied in the rejection of claim 5 above, wherein the partner system deletes the reservation for the requested resources unless the central data processing system sends a message if no acceptance

is received from the customer within the predetermined time interval. (see col. 13, lines 16-20; col. 17, lines 29-31)

Referring to **claim 7**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein the request comprises a plurality of items, the method comprising: performing b) to g) for each item. (see col. 4, lines 42-44)

Regarding claim 7, it is rejected based on the same rationale as set for in claim 1 above.

Referring to **claim 8**, Kumar discloses the system as applied in the rejection of claim 7 above. But Kumar does not explicitly disclose the limitation: wherein the request comprising the plurality of items is processed in a looping mode.

However, it would have been obvious to one of ordinary skill in the art to have easily configured the system of Kumar so that each LFM processes each component of the request and sends the response back to the fulfillment server prior to the other components being processed by subsequent LFMs. (see col. 7, lines 58-62; col. 16, lines 28-50)

Referring to **claim 9**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein the request for the at least one item has a structure of an order-like document that comprises: -a header section; -at least one item; -at least one

schedule line per item comprising information regarding requested by the customer including a delivery date and a quantity. (see col. 11, lines 23-25 and 63-67; columns 12, 13 and 14 – *It would be obvious to one of ordinary skill in the art that the interface/screen has a structure of an order-like document including one or more of the combination of information listed or preferences selected by the clients.*)

Referring to **claim 10**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein b) includes criteria defined by the customer. (see col. 7, lines 58-60; col. 8, lines 4-8; col. 11, lines 18-38)

Referring to **claim 11**, Kumar discloses the system as applied in the rejection of claim 1 above, further comprising the following operations conducted prior to h):

comparing at least one sub-response to the preferred choice specified by a customer; (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20; col. 15, lines 48-57)

selecting a preferred choice from the group consisting of the at least one sub- response. (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20; col. 15, lines 48-57)

Referring to **claim 12**, Kumar discloses the system as applied in the rejection of claim 11 above, wherein the act of selecting the preferred choice is based on the customer's preferences. (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20)

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar) as applied to claim 11 above, and further in view of US 5649103 (Datta et al. – hereinafter referred to as Datta)

Referring to **claim 13**, Kumar discloses the system as applied in the rejection of claim 11 above. But Kumar does not explicitly disclose the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received.

However, Datta teaches a system with the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received. (see col. 3, lines 13-15, 29-34 and 37-48)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any

person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Regarding claim 13, It is obvious that the system of Datta is analogous to an order fulfillment system which requires responses from one or more server interconnected. In addition, Kumar's system can be easily configured using predefined/clients/suppliers rules to generate the responses to the requests in a synchronous or asynchronous manner (as described by Datta).

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar).

Referring to **claim 14**, Kumar discloses a central data processing system for processing of the customer request comprising:

a) means for receiving the request for at least one item from a customer data processing system at a central data processing system; (see col. 4, lines 42-47; col. 5, lines 47-67; col. 6, lines 30-33; col. 11, lines 5-8)

b) means for generating a plurality of sub-requests for plurality of partners where each sub-request is assigned to an internal or external system by means of rules; (see col. 4, lines 47-65; col. 11, lines 9-11; col. 15, lines 1-18 and 48-57)

e) means for sending the sub-requests with the unique identifiers to partner systems; (see col. 4, lines 47-56; col. 11, lines 9-11)

f) means for receiving back sub-responses at the central data processing system, said sub-responses having unique identifiers in association with the unique identifiers of the request; (see col. 4, lines 56-57; col. 11, lines 11-14)

g) means for generating a response based on association of the sub-responses with the original item; (see col. 4, lines 58-60; col. 11, lines 14-16)

h) means for sending the response back to the customer data processing system. (see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

c) means for generating a separate unique identifier for each of the sub-requests;

d) means for storing the unique identifiers being assigned to the sub-requests, in a retrievable medium;

However, it would have been obvious to one skilled in the art that each sub-response will be assigned a identifier number or id corresponding to the receiving ATP server or supplier to identify where the sub-requests and sub-responses are sent to and received from, respectively. In addition, each supplier/ATP server/LFM associated with the fulfillment system has an identifier stored on the fulfillment server(s). In addition, the fulfilling server contains one or more memory devices where the information are stored. (see col. 5, lines 58-63; col. 6, lines 4-29 and 34-53; col. 7, lines 35-65; - *The rules can be implemented based on the fulfillment server- ATP server- LFM relationship/setup or based on criteria specified by the clients.*)

Referring to **claim 15**, Kumar discloses the system as applied in the rejection of claim 14, wherein a central data processing system further comprises interfaces for communication between a sales system, the purchasing system, the manufacturing system, the planning system and other internal or external systems. (see col. 33, lines 13-20; col. 36, lines 10-24 – *It is obvious that the various components of the order fulfillment system communicate via various interfaces over the network.*)

Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar), as applied to claim 14 above, and further in view of US 5649103 (Datta et al. – hereinafter referred to as Datta)

Referring to **claim 16**, Kumar discloses the system as applied in the rejection of claim 14 above. But Kumar does not explicitly disclose the limitation: further comprising asynchronous communication means to use database tables for storage of the sub-responses.

However, Datta teaches a system with the limitation: further comprising asynchronous communication means to use database tables for storage of the sub-responses. (see col. 2, lines 61-67; col. 3, lines 1-4 and 20-28)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: further comprising asynchronous communication means to use database tables for storage of the sub-responses, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 17**, Kumar discloses the system as applied in the rejection of claim 16 above. But Kumar does not explicitly disclose the limitation: wherein the

means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database.

However, Datta teaches a system with the limitation: wherein the means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database. (see col. 2, lines 61-67; col. 3, lines 1-4, 13-15, 20-28 and 31-42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 18**, Kumar discloses the system as applied in the rejection of claim 17 above. But Kumar does not explicitly disclose the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected.

However, Datta teaches a system with the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected. (see col. 2, lines 61-67; col. 3, lines 1-4 and 29-40 – *it is obvious that the counting mechanism is used in querying the context table to determine the completeness of the responses.*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar).

Referring to **claim 19**, Kumar discloses a computer-readable storage medium holding code to:

- a) receive a request for at least one item from a customer data processing system at a central data processing system; (see col. 4, lines 42-47; col. 5, lines 47-67; col. 6, lines 30-33; col. 11, lines 5-8)
- b) generate a plurality of sub-requests for plurality of partners where each sub-request is assigned to an internal or external system by means of rules; (see col. 4, lines 47-65; col. 11, lines 9-11; col. 15, lines 1-18 and 48-57)
- e) send the sub-requests with the unique identifiers to partner systems; (see col. 4, lines 47-56; col. 11, lines 9-11)
- f) receive back sub-responses at the central data processing system, said sub-responses having unique identifiers in association with the unique identifiers of the request; (see col. 4, lines 56-57; col. 11, lines 11-14)
- g) generate a response based on association of the sub-responses with the original item; (see col. 4, lines 58-60; col. 11, lines 14-16)

h) send the response back to the customer data processing system. (see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

c) generate a separate unique identifier for each of the sub-requests;

d) store the unique identifiers being assigned to the sub-requests, in a retrievable medium;

However, it would have been obvious to one skilled in the art that each sub-response will be assigned a identifier number or id corresponding to the receiving ATP server or supplier to identify where the sub-requests and sub-responses are sent to and received from, respectively. In addition, each supplier/ATP server/LFM associated with the fulfillment system has an identifier stored on the fulfillment server(s). (see col. 5, lines 58-63; col. 6, lines 4-29 and 34-53; col. 7, lines 35-65; - *The rules can be implemented based on the fulfillment server- ATP server- LFM relationship/setup or based on criteria specified by the clients.*)

Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar) and further in view of US 5649103 (Datta et al. – hereinafter referred to as Datta).

Referring to **claim 20**, Kumar discloses a data processing system for processing a request, the data processing system comprising:

- means for selecting an asynchronous or a synchronous communication mode for communication with partner computer systems, (see col. 4, lines 35-38; col. 7, lines 58-61)

- means for splitting the request into a set of sub-requests, (see col. 4, lines 42-50; col. 7, lines 58-62; col. 11, lines 9-11)

- means for sending the response. (see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

- synchronous communication means being adapted to send a first one of the sub- requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-responses are stored in a random access memory,

-asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-responses of the partner computer systems in a database on a non-volatile storage device, means for combining the sub-responses to generate a response to the request,

However. Datta teaches a system with the limitations:

-synchronous communication means being adapted to send a first one of the sub-requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-responses are stored in a random access memory, (see col. 1, lines 28-33; col. 5, lines 4-6 – *This is functionally equivalent to the synchronous communication mode. In addition, It would be obvious that the sub-responses will be stored in a RAM.*)

-asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-

responses of the partner computer systems in a database on a non-volatile storage device, means for combining the sub-responses to generate a response to the request, (see col. 3, lines 13-40; col. 5, lines 4-6)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitations: synchronous communication means being adapted to send a first one of the sub-requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-responses are stored in a random access memory and asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-responses of the partner computer systems in a database on a non-volatile storage device, means for combining the sub-responses to generate a response to the request, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 21**, Kumar discloses the system as applied in the rejection of claim 20, wherein the means for selecting the asynchronous or synchronous communication mode comprises a set of rules (to be applied on the request). (see col. 4, lines 35-38; col. 7, lines 58-61 - *It would have been obvious to one skilled in the art that the mode of compiling the responses can be specified by the clients, ATP servers or LFM's.*)

Referring to **claim 22**, Kumar discloses the system as applied in the rejection of claim 21 above, wherein the means for splitting the request into a set of sub-requests uses the set of rules for the splitting operation. (see col. 4, lines 42-50; col. 7, lines 58-62; col. 11, lines 9-11)

Referring to **claim 23**, Kumar discloses the system applied in the rejection of claim 20 above. But Kumar does not explicitly disclose the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response.

However, Datta teaches a system with the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response. (see col. 2, lines 61-67; col. 3, lines 1-4 and 29-40 – *It is obvious that the counting mechanism is used in querying the context table to determine the completeness of the responses.*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 24**, Kumar discloses the system as applied in the rejection of claim 23 above. But Kumar does not explicitly disclose the limitation: wherein the asynchronous communication means is to perform the check of the database by performing a database query using the sub-request and sub-response identifiers as keys.

However, Datta teaches a system with the limitation: wherein the asynchronous communication means is to perform the check of the database by performing a database query using the sub-request and sub-response identifiers as keys. (see col. 2, lines 61-67; col. 3, lines 20-40 – *It is obvious that the counting mechanism is used in querying the context table to determine the completeness of the responses.*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the asynchronous communication means is to perform the check of

the database by performing a database query using the sub-request and sub-response identifiers as keys, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar) and further in view of US 5649103 (Datta et al. – hereinafter referred to as Datta).

Referring to **claim 25**, Kumar discloses a method for processing a request comprising:

- selecting an asynchronous or synchronous communication mode for communication with partner computer systems, (see col. 4, lines 35-38; col. 7, lines 58-61)
- splitting the request into a set of sub-requests, (see col. 4, lines 42-50; col. 7, lines 58-62; col. 11, lines 9-11)
- combining the sub-responses to generate a response to the request, (see col. 4, lines 58-60; col. 11, lines 14-16)

-sending the response to the requestor. (see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

-if the synchronous communication mode has been selected: sending a first one of the sub-requests of the set to one of the partner computer systems, waiting for the respective sub-response from the one of the partner computer systems, sending a second one of the sub-requests of the set to a second one of the partner computer systems after the sub-response from the first one of the partner computer systems has been received, wherein the sub-responses are stored in a random access memory,

-if the asynchronous communication mode has been selected: sending a plurality of the sub-requests in parallel to partner computer systems, storing respective sub-responses of the partner computer systems in a database on a non- volatile storage device,

However, Datta teaches a similar system with the limitations:

-if the synchronous communication mode has been selected: sending a first one of the sub-requests of the set to one of the partner computer systems, waiting for the respective sub-response from the one of the partner computer systems, sending a second one of the sub-requests of the set to a second one of the partner computer systems after the sub-response from the first one of the partner computer systems has been received, wherein the sub-responses are stored in a random access memory, (see col. 1, lines 28-33; col. 5, lines 4-6 – *This is functionally equivalent to the synchronous communication mode. In addition, it would be obvious that the sub-responses will be stored in a RAM.*)

-if the asynchronous communication mode has been selected: sending a plurality of the sub-requests in parallel to partner computer systems, storing respective sub-responses of the partner computer systems in a database on a non- volatile storage device, (see col. 3, lines 13-40; col. 5, lines 4-6)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitations: if the synchronous communication mode has been selected: sending a first one of the sub-requests of the set to one of the partner computer systems, waiting for

the respective sub-response from the one of the partner computer systems, sending a second one of the sub-requests of the set to a second one of the partner computer systems after the sub-response from the first one of the partner computer systems has been received, wherein the sub-responses are stored in a random access memory and if the asynchronous communication mode has been selected: sending a plurality of the sub-requests in parallel to partner computer systems, storing respective sub-responses of the partner computer systems in a database on a non- volatile storage device, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 26**, Kumar discloses the system as applied in the rejection of claim 25 above, wherein a set of rules is used for selecting the asynchronous or the synchronous communication mode and for splitting the request into a set of sub-requests. (see col. 4, lines 35-38 and 42-50; col. 7, lines 58-61; col. 11, lines 9-11 - *It would have been obvious to one skilled in the art that the mode of compiling the responses can be specified by the clients, ATP servers or LFM's.*)

Referring to **claim 27**, Kumar discloses the system as applied in the rejection of claim 25 above, further comprising checking the asynchronous communication mode (see col. 4, lines 35-38; col. 7, lines 58-61)

But Kumar does not explicitly disclose the limitation: checking the database for completeness with each incoming sub-response.

However, Datta disclose a similar system with the limitation: checking the database for completeness with each incoming sub-response. (see col. 2, lines 61-67; col. 3, lines 1-4 and 29-40 – *It is obvious that the counting mechanism is used in querying the context table to determine the completeness of the responses.*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: checking the database for completeness with each incoming sub-response, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 28**, Kumar discloses the system as applied in the rejection of claim 27 above. But Kumar does not explicitly disclose the limitation: wherein a database query is performed for each incoming sub-response, in order to determine whether all sub- responses for the request have been received.

However, Datta teaches a system with the limitation: wherein a database query is performed for each incoming sub-response, in order to determine whether all sub-responses for the request have been received. (see col. 2, lines 61-67; col. 3, lines 20-40 – *It is obvious that the counting mechanism is used in querying the context table to determine the completeness of the responses.*)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein a database query is performed for each incoming sub-response, in order to determine whether all sub-responses for the request have been received, in accordance with the teachings of Datta, in order to improve the request processing capabilities of the system, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Response to Arguments

Applicant's arguments regarding US 5555375 (Sudama et al.) as applied with respect to the rejection(s) of claim(s) 1-4, 7-10 and 13-19 under 35. U.S.C 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection under 35 U.S.C 103(a) is made in view of US 7249044 (Kumar et al.) and US 5649103 (Datta et al.).

US 7249044 (Kumar et al.) in view of US 5649103 (Datta et al.) teaches or suggests the Applicant's claimed invention, which renders it unpatentable under obviousness.

Applicant argues that Sudama does not teach or anticipate: 1) receiving a request for at least one item from a customer data processing system at a central data processing system, 2) that the request is received from a customer data processing system, 3) the request for the at least one item does not have a structure corresponding to an order-like document and 4) that a user's request is directed to an item (product or good)

In addition, Applicant argues that since claims 2-4, 7-10, 13 and 15-18 implicitly contain the elements of claims 1 or 14 respectively, they are patentable over Sudama.

Applicant's arguments regarding US 555375 (Sudama et al.) in view of US 20020133381 (Tso et al) and US 7350212 (Lambert et al) as applied with respect to the rejection(s) of claim(s) 5-6 and 11-12 under 35. U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection under 35 U.S.C 103(a) is made in view of US 7249044 (Kumar et al.) and US 5649103 (Datta et al.)

US 7249044 (Kumar et al.) in view of US 5649103 (Datta et al.) teaches or suggests the Applicant's claimed invention, which renders it unpatentable under obviousness.

Applicant argues that since claims 5-6 and 11-12 implicitly contain the elements of claims 1, they are patentable over Sudama.

Applicant's arguments regarding US 555375 (Sudama et al.) in view of US 20020133381 (Tso et al) and US 7350212 (Lambert et al) as applied with respect to the rejection(s) of claim(s) 20-28 under 35. U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection under 35 U.S.C 103(a) is made in view of US 7249044 (Kumar et al.) and US 5649103 (Datta et al.)

US 7249044 (Kumar et al.) in view of US 5649103 (Datta et al.) renders the Applicant's claimed invention unpatentable under obviousness.

Applicant argues that Sudama does not teach or suggest: 1) means for selecting an asynchronous or a synchronous communication mode for communication with partner computer systems and 2) to select a communication mode before the request is

processed but goes ahead and processes the request using a set of communication mode.

In addition, Applicant argues that since claims 21-24 and 26-28 implicitly contain the elements of claims 20 or 25 respectively, they are patentable over Sudama.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEGUN GOYEA whose telephone number is (571)270-5402. The examiner can normally be reached on Monday through Thursday, 8:00am to 5:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Gart can be reached on (571)272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O. G./
Examiner, Art Unit 3687
12/22/2008

/Matthew S Gart/
Supervisory Patent Examiner, Art
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